



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

AF 11648
#10

Application of: SAITO, Shuji et al.

Serial No.: 10/059,152

Group Art Unit: SALIM

Filed: January 31, 2002

Examiner: Salimi, A.

P.T.O. Confirmation No.: 5985

For: RECOMBINANT HERPESVIRUS OF TURKEYS AND USE THEREOF

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 17, 2003

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated **June 17, 2003** of the Primary Examiner.

The item(s) checked below are appropriate:

1. A petition for a month extension of time to respond to the Final Rejection was filed on .
2. A timely response to the Final Rejection has been filed, as provided in 37 C.F.R. 1.113.
3. X Fee -\$320.00

X Enclosed
Not required (fee paid in prior appeal)
Charge to Deposit Account No. 01-2340

In the event this Notice of Appeal is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this Notice.

Adjustment date: 10/21/2003 SDIRETA1
09/25/2003 NVILLARI 00000006 012340 10059152 Respectfully submitted,
01-FC-1251 110.00 CR

ARMSTRONG, WESTERMAN & HATTORI, LLP

09/22/2003 CCHAU1 00000003 10059152

01 FC-1401

320.00 OP

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